

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 24359 of 2004

Between:

1 B.V.Ramana, S/o.Late B.Meridaya,
CISF Unit, Office of the Commandant, SCCL (B) RKP Area Bellampalli

Adilabad District.

2 M.Rama Rao, S/o.Veera Raghavulu,
Office of the Commandant, SCCL., (B) RKP Area, Bellampalli,

Adilabad District.

3 P.Saraiah, S/o.P.Hanuman,
Office of the Commandant, SCCL., (B) RKP Area, Bellampalli,

Adilabad District.

4 C.S.Gaddappa, S/o.Late Gaddappa,
Office of the Commandant, SCCL., (B) RKP Area, Bellampalli,

Adilabad District.

5 D.Durgaiah, S/o.Rajaiah,
Office of the Commandant, SCCL., (B) RKP Area, Bellampalli,

Adilabad District.

6 P.V.Subbaiah, S/o.Late P.Ramanaiah,
Office of the Commandant, SCCL., (B) RKP Area, Bellampalli,

Adilabad District.

..... PETITIONERS

AND

1 The Commandant, CISF Unit, SCCL (B)RKP Area Bellampalli,
Adilabad District.

- 2 The Deputy Inspector General, CISF Southern Zone, Head Quarters, D-Block,
Rajaji Bhavan, Beasant Nagar, Chennai-90, Tamil Nadu.
- 3 The Director General CISF Head Quarters, Block No.13, CGO's Complex,
Lodhi Road, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in withdrawing the Assured career progression benefit scheme given to the petitioners and ordering for recoveries of the amounts paid to the petitioners under the said scheme, which were already recovered and proposed to recover the amounts from the petitioners salaries by the 1st respondent herein basing on the proceedings of the 3rd respondent herein vide proceedings No.42099/17/2002/Estt.I/1358, dated 7-11-2003 as being arbitrary, illegal and unconstitutional, violative of principles of natural justice and consequently set aside the said proceedings and pass such other order or orders.

Counsel for the Petitioners : MR.D.L.PANDU

**Counsel for the Respondents: MR.A.RAJASHEKAR REDDY
(ASST.SOLICITOR GEN.)**

The Court made the following :

ORDER:

The present Writ Petition is filed aggrieved by the action of the respondents in withdrawing the Assured Career Progression (ACP) benefit scheme given to the petitioners and ordering for recovery of the amounts paid to them under the said scheme.

A detailed counter has been filed stating that the petitioners can as well file an application under Rule 56 of the Central Industrial Security Force Rules, 2001 with regard to any grievance.

Since an alternative remedy is available to the petitioners, the Writ Petition is disposed of directing the petitioners to file an application under Rule 56 of the said Rules and after filing such an application, the same shall be considered by the respondents in accordance with law within six weeks thereafter. The interim stay granted by this Court on 27.12.2004 is vacated.

K.C.BHANU, J

Dt: 21.06.2005

bsv

To

- 1 The Commandant, CISF Unit, SCCL (B)RKP Area Bellampalli, Adilabad District.
- 2 The Deputy Inspector General, CISF Southern Zone, Head Quaters, D-Block, Rajaji Bhavan, Beasent Nagar, Chennai-90, Tamil Nadu.
- 3 The Director General CISF Head Quarters, Block No.13, CGO's Complex, Lodhi Road, New Delhi.

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